101-583

Public Law 101-583
101st Congress

An Act

To eliminate "substantial documentary evidence" requirement for minimum wage determination for American Samoa, and for other purposes.

Nov. 15, 1990
[S. 2930]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMERICAN SAMOA.

Section 8(b) (29 U.S.C. 208(b)) is amended by striking out "unless there is" and all that follows in that section and inserting in lieu thereof "unless there is evidence in the record which establishes that the industry, or a predominant portion thereof, is unable to pay that wage due to such economic and competitive conditions.".

SEC. 2. REGULATIONS CONCERNING CERTAIN EMPLOYEES.

29 USC 213 note.

Not later than 90 days after the date of enactment of this Act, the Secretary of Labor shall promulgate regulations that permit computer systems analysts, computer programmers, software engineers, and other similarly skilled professional workers as defined in such regulations to qualify as exempt executive, administrative, or professional employees under section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)). Such regulations shall provide that if such employees are paid on an hourly basis they shall be exempt only if their hourly rate of pay is at least 6½ times greater than the applicable minimum wage rate under section 6 of such Act (29 U.S.C. 206).

Approved November 15, 1990.

LEGISLATIVE HISTORY—S. 2930:

CONGRESSIONAL RECORD, Vol. 136 (1990):
Aug. 4, considered and passed Senate.
Oct. 18, considered and passed House, amended.
Oct. 27, Senate concurred in House amendments.

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